DEMAND XXXIX—CAPITAL OUTLAY ON ROAD TRANSPORT SCHEMES.

MR. SPEAKER :—" The question is—

' *That the Government be granted as an advance a sum not exceeding Rs.* 10,00,000 *under Demand XXXIX—Capital Outlay on Road Transport Schemes.*' "

The Demand was carried and the Grant was made.

DEMAND XL—COMMUTED VALUE OF PENSIONS.

MR. SPEAKER :—" The question is—

' *That the Government be granted as an advance a sum not exceeding Rs.* 12,00,000 *under Demand XL—Commuted Value of Pensions.*' "

The Demand was carried and the Grant was made.

DEMAND XLI—CAPITAL OUTLAY ON SCHEMES OF STATE TRADING.

MR. SPEAKER :—" The question is—

' *That the Government be granted as an advance a sum not exceeding Rs.* 20,00,00,000 *under Demand XLI—Capital Outlay on Schemes of State Trading.*' "

The Demand was carried and the Grant was made.

DEMAND XLII—LOANS AND ADVANCES BY THE STATE GOVERNMENT.

MR. SPEAKER :—" The question is—

' *That the Government be granted as an advance a sum not exceeding Rs.* 2,80,00,000 *under Demand XLII—Loans and Advances by the State Government.*' "

The Demand was carried and the Grant was made.

MR. SPEAKER :—" The next item in the Agenda."

V.—GOVERNMENT BILL.

THE EVACUEE INTEREST (SEPARATION) MADRAS SUPPLEMENTARY BILL, 1953.

THE HON. SRI C. RAJAGOPALACHARI :—" Mr. Speaker, Sir, I beg to introduce the Evacuee Interest (Separation) Madras Supplementary Bill [a], 1953, and move—

' *That the Bill be taken into consideration at once.*' "

MR. SPEAKER :—" Motion moved—

' That the Evacuee Interest (Separation) Madras Supplementary Bill, 1953, be taken into consideration at once.' "

* SRI VAVILALA GOPALAKRISHNAIAH :—" అధ్యక్షా, ఈ బిల్లును సెలెక్టు కమిటీకి refer చేయవలెననే నా సవరణను ప్రతిపాదిస్తున్నాను :

' That the Bill be referred to a Select Committee.'

---

[a] Published in the *Fort St. George Gazette*, dated 4th March 1953.

24th March 1953] [Sri Vavilala Gopalakrishnaiah]

"ఈ చట్టం మద్రాసు రాష్ట్రానికి సంబంధించినదని చెప్పుటకు ఎట్టి ఆధారాలులేవు. మన ప్రభుత్వంవారు ఇటువంటి చట్టమును pass చేయదలచినట్లయితే రాజ్యాంగ చట్టములోని 252 వ article ప్రకారంగాని, 249 వ article ప్రకారంగాని చేయవలసి యున్నది. ఈ విధంగా చట్టమును పాస్ చేయుటానికి అగత్యమేమో వివరించాలి. రాజ్యాంగ చట్టం యొక్క 7 వ షెడ్యూలు రెండవ జాబితాలోని అంశములకు సంబంధించినంతవరకు ఈ చట్టం మద్రాసు రాష్ట్రానికికూడా వర్తిస్తుందని బిల్లు తెలిపారు. ఏడవ షెడ్యూలుయొక్క రెండవ జాబితాలోని అంశములు concurrent list లోనివి. అటువంటి పరిస్థితులలో మద్రాసు ప్రభుత్వం ఈ బిల్లును ఎందువల్ల pass చేయాలో తెలుపవలసియున్నది. అంతేకాకుండా మన రాష్ట్రానికి సంబంధించినంతవరకు ఈ బిల్లు ఏ విధంగా పనిచేస్తుంది, మన రాష్ట్రంలోని evacuee properties ఏమిటి, అవి ఎవరెవరికి సంబంధించినవి అనే విషయాలను వివరించవలసియున్నది. ఏదో ఒక Constitutional point ను cover up చేయుటకే ఈ బిల్లు ఉద్దేశింపబడినదని ప్రధాన మంత్రిగారు చెబుతున్నారు. కాని ఆ point ఏమో వారు సరిగా తెలియజేయలేదు. ఈ బిల్లులోని రెండవ క్లాజులో 'so far as it relates to any matter enumerated in List II in the Seventh Schedule to the Constitution, stand validated and binding as if it had been passed by the Legislature of the State of Madras' అని ఉన్నది. ఇది మూక ఉమ్మడి provision. ఈ విధంగా ఒక blank cheque ఇవ్వడం ప్రమాదకరం. మన రాష్ట్రంలో evacuee properties ఏవి ఉన్నాయి. అవి ఎవరెవరికి సంబంధించినటువంటివి అనే విషయాలు వివరంగా చెప్పనిదే ఈ బిల్లును ఆమోదించరాదని, కాబట్టి దీనిని ఒక Select Committee కి refer చేయించవలెనని కోరుతున్నాను."

SRI S. VEMIAH :—"I second the amendment, Sir."

MR. SPEAKER :—"The hon. Member, Sri S. Vemiah, has given notice of an amendment that the Bill be circulated for eliciting public opinion. The Hon. the Chief Minister will reply afterwards." 1-40 p.m.

SRI S. VEMIAH :—"Mr. Speaker, Sir, I move—

'*That the Evacuee Interest (Separation) Madras Supplementary Bill*, 1953, *be circulated for eliciting public opinion*.'

"My object in moving this amendment is to get information regarding the evacuees' property in our State and the number of individuals affected by it. I hope the Hon. the Chief Minister will give us the necessary information regarding these evacuees."

The amendment was duly seconded.

* THE HON. SRI C. RAJAGOPALACHARI :—"Mr. Speaker, Sir, this Bill is to provide for certain legal lacunae with reference to evacuee property in India as a whole. In order to remove the constitutional difficulties the Indian Parliament would have in dealing with this subject, the Legislatures of the States in India including our own passed a resolution sometime ago which empowered Parliament to deal with this matter. Parliament had dealt with this subject and passed a certain Act. Now, after the 15th December 1952, the powers which we gave under the Constitution by our resolution ceases to have effect and not even a little change

could be made by Parliament after this date. Certain legal lacunae have been discovered and the Act which the Parliament passed has to be adopted by us. That is their request to us and without it the Act would be incomplete. Now, it will not do to merely pass a resolution; we have to adopt the Act as it were an Act of our Legislature. This is the reason why this Supplementary Bill has been brought before the House. It does not affect us in any other way. It does not involve any new rights or add anything to the old Act. In effect, whatever we had agreed to on the 31st August 1951 and 7th September 1951 have to be continued after 15th December 1952. I, therefore, consider that there is no object to be gained by referring it either to a Select Committee or circulating it for public opinion. I hope the House will reject these dilatory motions.''

* SRI VAVILALA GOPALAKRISHNAIAH :—" అధ్యక్షా, ఈ బిల్లును తప్పకుండా ఆమోదించవలసినదని, 1952 వ సం॥ డిసెంబరు 15 వ తేదీన రద్దు అయిపోయిన చట్టానికి పునర్జన్మ కలిగించుటకే ఇది ఉద్దేశింపబడినదని ముఖ్యమంత్రి తెలియజేశారు కాని ఈ బిల్లును ఆమోదించకపోతే వచ్చే చిక్కులేమిటి, ఏవిధంగా మన రాష్ట్రానికి ఇది సంబంధించింది అనే విషయాన్ని వారు తెలియజేయలేదు. ఈ వివరాలు చెబితే నేను నా amendment ను withdraw చేసుకొనేది లేనిది మనవి చేస్తాను."

MR. SPEAKER :—" The hon. Member is asking for some explanation.''

SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, if the Hon. Chief Minister explains it, I will withdraw my amendment.''

THE HON. SRI C. RAJAGOPALACHARI :—" The terms of the resolution and the Constitution automatically, completely terminate the validity of the Act on the 15th December 1952. That is the position.''

SRI VAVILALA GOPALAKRISHNAIAH :—" Mr. Speaker, I withdraw my amendment.''

The amendment was, by leave, withdrawn.

SRI S. VEMIAH :—" Sir, I also beg leave to withdraw the amendment moved by me.''

The amendment was, by leave, withdrawn.

MR. SPEAKER :—" The question is—

' That the Evacuee Interest (Separation) Madras Supplementary Bill, 1953, be taken into consideration at once.' ''

The motion was carried.

Clause 2 was put and carried.

Clause 1 was put and carried.

24th March 1953]

SRI K. KRISHNA RAO :—" Mr. Speaker, in view of what the Hon. the Chief Minister has said that the effect of the resolution will lapse on the 15th December 1952, I think there is no point in pressing the amendment to the Preamble of which I had given notice."

The Preamble was put and carried.

THE HON. SRI C. RAJAGOPALACHARI :—" Mr. Speaker, I move—

' *That the Evacuee Interest (Separation) Madras Supplementary Bill,* 1953, *be passed into law.*' "

MR. SPEAKER :—" The question is—

' That the Evacuee Interest (Separation) Madras Supplementary Bill, 1953, be passed into law.' "

The motion was put and carried and the Bill passed into law.

MR. SPEAKER :—" The House will now adjourn and meet again at 8-30 a.m. tomorrow."

The House then adjourned.

VI.—PAPER LAID ON THE TABLE OF THE HOUSE.

Notification No. 140, *issued in G.O. Ms. No.* 332, *Home, dated the* 30*th January* 1953, *regarding exemption from the payment of motor vehicles tax of the motor car presented by the World Health Organization.* [*Laid under section* 11 (2) *of the Madras Motor Vehicles Taxation Act,* 1931.]

TRUTH ALONE TRIUMPHS